

**PARKS, SPORTS & CULTURAL AFFAIRS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE**

A regular meeting of the Parks, Sports, and Cultural Affairs Committee was held at the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, in the Rose Y. Caracappa Auditorium, on Thursday, **August 1, 2002**, at 1:00 p.m.

MEMBERS PRESENT:

Legislator Ginny Fields, Chairperson
Legislator Cameron Alden, Vice Chair
Legislator Brian Foley
Legislator Angie Carpenter
Legislator Bill Lindsay

ALSO IN ATTENDANCE:

Paul Sabatino II, Counsel to the Legislature
Mary Skiber, Legislative Aide to Legislator Fields
Clark Gavin, Legislative Aide to Presiding Officer Tonna
Terry Pearsall, Legislative Aide to Legislator Lindsay
Peter Scully, Commissioner, Suffolk County Department of Parks
Greg Lauri, Suffolk County Department of Parks
Denise Spezio, Suffolk County Department of Parks
Nicole DeAngelo, IR/County Executive's Office
George Proios, County Executive's Office
Ray Corwin, Parks Trustee
Jay Miller, Parks Trustee
Scott Gray, SC Department of Parks/Parks Police
Lauren Brancatto, SC Department of Parks/Park Police
Larry Hines, SC Department of Parks
Deborah Gray, Appointee, SC Vanderbilt Museum Commission
Marla Deutsch, Sweet Hills Riding
Gregory Mallow, Sweet Hills Riding
Other Interested Parties

Minutes Taken By:

Kimberly Castiglione, Legislative Secretary

(The meeting was called to order at 1:15 p.m.)

CHAIRPERSON FIELDS:

We will start with Parks Committee meeting with the Pledge of Allegiance led by our Commissioner of Parks.

(Salutation)

Good afternoon. We have two cards. One is from Gregory Mallow and the other one is from Marla Deutsch. Would you both like to come up together, or would you like to come up separately?

MR. MALLOW:

We will come up together.

CHAIRPERSON FIELDS:

Good afternoon. Who would like to start?

MS. DEUTSCH:

I am an avid horseback riding. I have my horse –

CHAIRPERSON FIELDS:

You just have to state your name for the stenographer.

MS. DUETSCH:

My name is Marla Deutsch. I have a horse at Stan Hope Stables and I am – I ride in the ring and also I am a trail rider. I really like the convenience of having West Hills, Sweet Hills Park because it is so convenient, but the trails are so bad and so dangerous that I am forced to go to other trails, like Blydenburgh, which is beautiful, Connetquot, which is gorgeous, Comsett, Hempstead Lake Park. It is a shame that they have been so neglect and also dangerous. And I understand weather conditions and I understand nature and whatever plays. I don't expect a log on a trail to be picked up, but there are so many rocks and it is so dangerous that people that board – we have 100 boarders at Stan Hope, and no one wants to ride the trails there.

CHAIRPERSON FIELDS:

Have the rocks always been there? How long have you been riding in that park?

MS. DUETSCH:

I'd say three years, and it has gotten worse, to the point where I am here today.

CHAIRPERSON FIELDS:

Where to the rocks come from?

MS. DUETSCH:

It is just from neglect. I understand there is sand in the rocks, but what happens is when it rains the sand is washed away and there is a lot of rocks, but the sand is never replenished, where last time I rode, a happened to see a little girl riding with her mother and she stumbled on all these rocks – and I don't know if she got hurt, I went up to them, but, you know, she fell off the horse. It is very, very dangerous. It is just neglected. And I called up the parks and I spoke to a man named Joe and he just said to me, well, honestly, we just don't have the time.

CHAIRMAN FIELDS:

Who in Parks?

(Legislator Lindsay entered the meeting at 1:17)

MS. DUETSCH:

A man named Joe.

CHAIRPERSON FIELDS:

Where in Parks? You called up that park or you called up the Parks Department of the County?

MS. DUETSCH:

I don't know. I have the number in my car. Suffolk County Parks. Where then I spoke to a man later named Richard and he said he is going to do something, which I haven't been back. It is just so dangerous. I mean, I am not here to pick on anybody. It is just a beautiful park and it is just being neglected bad. And I understand the park that is around Sweet Hills is worse just because they do a lot of trail riding, and that is where it happens to be really bad because they take maybe, what, 60, 70 horses out a day. It is just not maintained. And I wouldn't even know better if I didn't go to other parks, I would think all the parks were like this. But we have Bethpage, which is maybe 15, 20 minutes away, and the park is beautiful – maybe because we don't have a golf course next to it, I don't know, and Tiger Woods. But, you know, it is just not fair. It is not fair to the riders and it is not fair to the animals.

CHAIRPERSON FIELDS:

Okay. Mr. Mallow.

MR. MALLOW:

You all know me. I have been here many times. This is my four time – my fourth visit. It is has been going on for a year. What has been accomplished in this past year for this park? I want to know what has been accomplished. I want to know if Suffolk County has gotten any extra revenue from sale horses. Right now I found out they were running a camp. The woman who was supposed to be here had to take a final exam. She called Sweet Hills. They told her the cost for a child was \$300 a week and they had to bring their own lunch, and on Friday they provide them with a barbecue. These are all against State laws, violations. You can't feed children unless you are licensed. I don't know if you know that. You have to be a licensed nutritionist. Anybody who deals with children, especially with children today, has to have a background investigation. Do you understand all these things? They have to be – you are dealing with children here. You can't just throw them into the real of maybe of people who maybe aren't trained. They have to provide bathroom facilities for them. They have to provide so many kids per supervisor. Who is looking into this? This is County parkland. Who is looking into this? Can anybody answer me this?

CHAIRPERSON FIELDS:

Well, I wanted to get all of your questions out, or comments –

MR. MALLOW:

That is not all my questions.

CHAIRPERSON FIELDS:

And then we can have a response by the Commissioner, but I wanted you to continue with –

MR. MALLOW:

One of the questions that was asked by the Commissioner to me earlier was did I contact the Parks Department. The last time I contacted the Parks Department I was told by Mr. {Laden} nobody was allowed to speak to me there due to a pending litigation. He was advised that he can't speak to me. So what is the sense of me calling there? So I called Legislators. You people

hold the ultimate responsibility over Mr. Scully, over everybody. This is what this committee is for. This is what you represent, the people of Suffolk County, to protect us and to protect the parkland, to find out what is going on here.

There is something illegal going on here. I have a contract in here from the County of Suffolk. I can read you things in this contract that this woman was supposed to do and haven't been done, were never done, and I have it in my hand. And why is that? And because she didn't do it, you could violate her contract. You could cancel her contract and put this place back up for bid to legitimate people, and why isn't that done? Because if you didn't pay your taxes you would be at our door, taking our property, bringing us to court, and yet this woman is running a facility that is owned by the County of Suffolk and nobody enforces the contract. This is black and white. This isn't something I made up. Are you familiar with this contract? Have you read it in its entirety? Have you read the proposal?

CHAIRPERSON FIELDS:

Do you have any other questions, because I would like the Commissioner to respond to your –

MR. MALLOW:

Yes. I would like to know what has been done in the past year to fulfill this contract, if anything.

COMM. SCULLY:

Thank you, Legislator Fields. I appreciate the opportunity to speak about the issue of the Sweet Hills Stables contract again. Mr. Mallow, as you know, has been before the committee repeatedly and has been frank with regard to the fact that he has a personal vendetta with the licensee. I believe that he has admitted as much as that to individual Legislators in recent weeks. And as you do know, he has a notice of claim pending against Suffolk County for an alleged incident in West Hills Park for which there is no record, so it complicates the situation somewhat in that the County Attorney's Office is a little bit skittish about us engaging in broad ranging discussions with him.

As I had indicated in prior appearances before the committee with regard to the issue, Mr. Mallow brought a series of concerns to our attention last year, and as I had indicated on the record at prior meeting, several of them proved to be valid. He brought to our attention that the licensee had not received approval from the County to market horses through the licensed facility as is required pursuant to the contract among other things, and pointed out several other issues which, quite frankly, were valid in terms of compliance. We pressed the licensee for compliance and achieved compliance in virtually every instance.

More recently I was contacted by an individual Legislator who made me aware that her office had received a call from Mr. Mallow making certain allegations, and as I had indicated in our prior conversations, notwithstanding the fact that there is an ongoing personal vendetta and estranged {social} relationship between the Mallows and the licensee, the department does take its responsibility to enforce compliance with license agreement very seriously, and regardless of the source of the allegations, will investigate those allegations and make sure that compliance is our ultimate goal.

Having said that, the Legislator in question brought three concerns to my attention. First, that the stable is operating what is called a day camp or a day care facility without necessary approvals and/or certifications; that the operator had recently cleared parkland without departmental approval in violation of the license agreement; and finally, that the operator has

failed to make improvement and to construct a manure bin as is required pursuant to the license agreement.

Clearly, the most serious of these allegations has to do with the issue of whether or not a facility was operated within a County park without required State approvals. And to that end the department has been in discussion this week with both State and County agencies who have jurisdiction over these matters.

Initially we were contacted by the Child Care Council of Suffolk County, Incorporated, a private agency which is operating under contract to the New York State Office of Children and Family Services. In fact, individuals from this agency, which is not directly governmental, but under contract, visited the facility in response to an anonymous complaint and issued a cease and desist order. The issue of whether or not State certifications for summer activities not only at Sweet Hills, but at other facilities, we have youth golf activities, for instance, at the golf course is a new one to us. They issued a cease and desist order for the operation of what they called an unregistered or unlicensed daycare program initially. We are intrigued as to what our obligations were in that regard, and after follow-up calls from our contracts unit to the Child Care Council, they retracted the cease and desist order pending further clarification.

Discussions by our contract section with Mr. Sal DeAngelo, of the New York State Office of Children and Family Services, led to a determination by his office that this is not a daycare issue at all. With that determination having been made, we then moved on to the Suffolk County Health Department Bureau of Public Health Protection, which has jurisdiction over day camp activities. They visited the site this morning and determined that this is a single sport camp which does not require registration or permitting by the Health Department and may continue to operate.

So, the information is recent. The Health Department only recently visited the site, that would be this morning. Luckily with respect to the department's ongoing effort to rebut allegations you don't need to take the Parks Department's word for it in this instance. There are other agencies which are alleged to have jurisdiction which have determined that they do not, and I needn't defend myself in that regard. If you have any doubts about those determinations, you need only contact those agencies and see what they have to say.

With regard to the issue of the construction of the manure bunker on the site, my staff advises me that the documentation is available to show that that manure bunker was constructed as required in 1996. It was constructed and made out of wood, therefore, there has been some deterioration and they are pressing for reconstruction or additional construction to the manure bunker area using a material that doesn't deteriorate, a concrete material.

With regard to the issue that Marla raises about the trail condition, that is a serious concern to us obviously. I have not received other complaints. I was not aware that she had spoken with Joe, who I assume is Joe Sblendorio, the Parks Supervisor at West Hills, or to Rich Hollborn, but you can rest assured that with her complaints in hand I will make sure that an inspection is made on a priority basis and I think you could assist us if you would direct us, maybe accompany my staff to the precise locations that you expressed concern about, to see whether in fact we have a condition that needs to be remedied.

One of the differences, I think, between West Hills and some of the other parks, such as Bethpage, which was identified, is the topography there is very, very steep. Horse use, with all

due respect to the equestrian community, does take its toll on trail systems, both at Blydenburgh and at West Hills and there is erosion which leads to loose stone, so that concern, I think, is a legitimate one that we need to take a look at.

MS. DEUTSCH:

I had other people from Stan Hope wanting to come, and I said I would speak on behalf of them. Next time maybe we can have – we can probably have the whole place filled. But I would want to start –

COMM. SCULLY:

I just want to assure you that any complaint that you take to the department level will be treated quickly. It is important that the Legislators know what is going on in the parks, and I always welcome a call from a Legislator asking us to take a look at things. But I don't want the impression to be made in this room that the department is going to be non-responsive, because I think the Legislators know that that is not the case.

MR. MALLOW:

I have to tell you, I commend the Commissioner on his actions on that, that is heartfelt. You stayed right on it. That was very good. My concern now is she is making money off of this, the County is due money off of this, a certain percentage, it is in the contract. Who is going to monitor this?

COMM. SCULLY:

It is the obligation of the department, obviously, to monitor – what we are talking about for those who are not familiar with the license agreements and the form that the department typically uses, usually a licensee pays us a certain base amount which is called a base fee, and then there is a percentage of gross. The idea being that the better the licensee does, the better the department should do, and the more that the licensee earns, the more that the County should be compensated.

MR. MALLOW:

That is my concern. We have that, we have the sale of horses. Who is monitoring this?

COMM. SCULLY:

As I was about to say, had I been allowed to continue, it is the responsibility of our contract section to monitor the gross receipts and the earnings of the licensee, so that responsibility falls clearly within our contract section. To be quite honest with you, the contract section is in a little bit of a transition phase right now. The cornerstone of that unit, Mr. Skinner, is taking advantage of the early retirement incentive and we are going to need to address the staffing issue there. But in direct response to the question who is going to monitor it, it is the department's responsibility to monitor that and to insure to the best of its ability that it received what it is due under the percentage gross arrangement.

MR. MALLOW:

Okay. Being that this is going to be monitored, okay, and we are going to have a full report on any kind of money that is made over and above their contractual obligations, right, we will find out how much she is making and what is due the County? That is public information, right? I mean, that will be under the Freedom of Information Act, how much money on contractual obligations given to the County. We will have to find this out. Isn't she also responsible to have receipts according the contract for riders there so we know how many riders are going through that facility? There is a certain type of receipt that is supposed to be – it is in the contract. Do

we have those?

COMM. SCULLY:

I have to confess that I as the Commissioner am not familiar with the provisions of this specific contract as it relates to the monitoring of users because I don't think in the broader scheme of things I personally can monitor 32 license agreements, 75 contracts, and what have you. But typically for a licensee we'll require submission of register receipts and things of that nature. Whether or not that is the case in this instance I'd really have to go and check. I must apologize that I don't have the familiarity with the provision that Mr. Mallow has. But if those provisions are in plain language, those are the provisions that we operate under.

CHAIRPERSON FIELDS:

Legislator Foley.

LEGISLATOR FOLEY:

Just very quickly. There may not be answers given today, but you have the opportunity through this committee system here to at least pose all the questions and then if the answers aren't forthcoming today, because it requires some homework, if you will, you have achieved at least one purpose, which is to ask all of your questions. Then when we have our second meeting in August, next committee –

MR. MALLOW:

I would also like to make a suggestion.

LEGISLATOR FOLEY:

I am not finished yet.

MR. MALLOW:

Okay. Go ahead.

LEGISLATOR FOLEY:

And that once you ask your questions, make your points, and so forth and so on, then over the next several weeks, knowing the Commissioner as I do and as we do, that at our next committee meeting, as many answers as is possible will be forthcoming from the department. But what is important is to lay out the questions as you are doing, but lay them all out today so that they can be looked into so before the end of the money we can have – to try to get you and others some answers to the questions. Thank you.

MR. MALLOW:

Can I speak now? Is it okay? I understand the Parks Commissioner, it is a very hard thing to monitor. It is a vast amount of people coming through there on a constant basis. It is a process you can't win with deterioration of the property. I mean, I understand that. I mean, you can't compare Sweet Hills to Connetquot Park. Connetquot Park is in a level area – it is apples and oranges. It is like comparing New York State to Jones Beach, you know, to New York State. It is not going to happen. My concern is, though, there should be a monitoring system in place. You could hire people. Even a parks police could go there. They could keep tabs on people. There could be a monitor on how many people on an average come through there during the day on a weekend, what is going on, is there sale horses coming through there, where is the extra money.

We are spending all this money for – I spoke to Angie Carpenter about this – helicopters, nine and a half million dollars for helicopters. Yeah, and there is legitimate reasons to have

helicopters and there is legitimate reasons to have helicopters of that magnitude. But the extra money that is due in the County helps to offset costs of that, whether it is \$10,000, \$10.00, or \$100,000. It offsets the costs. It is due the people of Suffolk County. These are things that we have a right to as the residents of Suffolk County.

And as far as the trails, yeah, he should go and monitor the trails with his staff, but according to the contract, she is supposed to take care of them. So if we have to pick up after her again, like we did the first time, where is the cost offset? Who is getting billed for this? She is making money, we're building stables. She is supposed to build a tack room, she drops a sea container on County property, a steel sea container and that is okay? That is not suitable for parkland. That is suitable for a junkyard, it is not suitable for parkland. The back of the barn is still rotted out and that is from a year ago. And if you are going to keep issuing her permits to create more stalls and sell more horses and make more money, well, some of those monies that she earns should be put back into the park and somebody has to monitor that.

CHAIRPERSON FIELDS:

Well, I think your points have been duly noted and I think that you have seen and have witnessed the responsiveness of our Parks Commissioner. If you have any further complaints and further questions we need to know them as they come up or whenever they can, and I am assuming that some of the answers that you received today have been good answers that you feel more comfortable with. I think hopefully by the next meeting you will have all of the other answers to the questions that you have presented.

MR. MALLOW:

I appreciate your time, and this could all be settled where I never have to come back here. Just enforce the contract. Let her do what she is supposed to do. It is not that hard. It is not that difficult a thing. Thank you.

CHAIRPERSON FIELDS:

Thanks for coming.

LEGISLATOR CARPENTER:

If I could.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEGISLATOR CARPENTER:

I just would like to make a comment. I know Mr. Mallow did refer to the fact that he had contacted me and I did in turn contact the Commissioner and he, as you can tell from what you have heard here today, got right on it. And something that I think we need to note. People come forward with issues and concerns and have every right to and that is all part of the process, and for everyone to do their jobs we need that kind of input. But I just want to commend the Commissioner, because I know of any time of the year this is the most extraordinarily busy time of the year to be a Parks Commissioner, and we have vast – thousands of acres of parkland that he is responsible for and contracts and employees and golf courses and campgrounds and everybody is pulling in every different direction. I appreciate his responsiveness and I think that bears noting. And I thank you for reaching out.

MR. MALLOW:

He did a great job.

CHAIRPERSON FIELDS:

Thank you for coming. We have an appointment here today and I would like to just do that first. Deborah Gray, are you here? Come on up. Hi. I see that you have a resume attached to the resolution. This is a new appointment, you have never served before on the Vanderbilt?

MS. GRAY:

That is correct.

CHAIRPERSON FIELDS:

Why don't you tell the committee a little bit about yourself and how you plan on assisting as a Vanderbilt Trustee.

MS. GRAY:

Okay. First of all, I have lived on Long Island since 1973. I am originally from Massachusetts, so I am from a state that also has a lot of parks and is very concerned about providing natural resources to the community where not everyone may have access to that.

I am very interested in helping preserve some of the resources Suffolk County has, and I think the Vanderbilt Museum is one of the more unusual things that the County has and operates that is a community resource. I also live in the community. I live in Centerport, in fact, about six homes away from the Vanderbilt Museum, and I have perceived them as a good neighbor over the years, so I think from that perspective I have some direct interest because I do live there and I am a member of the Vanderbilt Museum and we attend many of the functions there. So I think there are a lot of things that people in Suffolk County aren't aware of that are going on at the Vanderbilt Museum because it seems to be somewhat out of the way in terms of geography for the rest of Suffolk County. So, they need to do more about letting the rest of the community know what a great resource there is there.

I also have served on a number of boards as you can see from my resume. I understand the concept of providing oversight and governance, and I think that as all of our budgets get tighter we have to be more creative in the use of our resources to maintain these valuable assets we have, and I see the Vanderbilt Museum as one. And I can see as the County goes forward with issues that may be more important than parks and museums that the Board is going to have to be creative in terms of its ability to sustain that facility and to move any new ideas forward on it. I hope that I could be some part of that in the future since we are neighbors and we would like to see the museum preserved.

CHAIRPERSON FIELDS:

Legislator Alden.

LEGISLATOR ALDEN:

The Vanderbilt has a, whatever you want to call it, like a trust account that basically they get some income out of, but they also – there is a provision and it has been renewed year after year where to run the museum they are actually drawing down on the principle of the trust account, which I find very troubling. In the good times, as was evidenced prior to two years ago, that trust account just grew and grew and grew. But right now it is actually shrinking and there is a possibility that next year there won't be any money there that we could to any capital gains, because that is what you have to take, realized capital gains, transfer them for operating budget.

Do you have a specific plan or do you have a general plan that you would like to see implemented that would make you less reliant on that type of money?

MS. GRAY:

I am not familiar enough with what they have done to actually have a plan on my own, but I have some concerns that, and obviously all of these things would have to be consistent with the vision and the mission that you all have as Legislators for your parks and museums. But it would appear to me that there are things that can go on at the museum that would not be offensive to people in the community and to all of the people in Suffolk County that might generate revenue.

I know in the past they had concerts and there was a lot of conflict over that, but that did bring in revenue, and I think there are ways that they can develop other programs there, even such things as they recently bought the property across the street that the gardener used to own, his family owned. That is filled with very unique garden, bushes and trees and landscaping. I know the Suffolk Cooperative Extension uses a park in Suffolk County to do a gardening class which they charge a rather nicely sum of money for people to do. So I think that we could all be more creative in our approach to find ways to generate revenue there to preserve the museum.

LEGISLATOR ALDEN:

Part of the wrap on the concerns was I guess noise and people going to and from that. Anything that we do, though, to increase revenue that is generated by that museum is going to increase traffic, and that I understand is what the people around that area were opposed to. They don't want any more traffic coming in there. That is basically diametrically opposed to us generating more cash there.

MS. GRAY:

I think that the community sometimes confuses what is going on with the Vanderbilt Museum with what is going on at the beach at the end of the street, and all those people drive through that community as well. So, I think the Vanderbilt Museum needs to do a little better job of showing what the activities are that, you know, are creating traffic as a result to them and what has to be credited to the park at the end of the street, which is also very heavily used by seniors and a bus goes there. I just think there hasn't been very good communication.

I think that the community that I live in, which is directly adjacent to the museum, originally had some concerns about the traffic as it related to the concerts, mostly not because the traffic was going to the concert, but after the concert where the people were going and how they were using the neighborhood for after traffic activities. I think the museum security did a very good job after the concerns were raised to make certain that when people left the museum they headed out of the Little Neck area and away from the museum and the County park and didn't use that neighborhood to fulfill other activities after the concerts.

I think that the wine tasting has generated more traffic than any of the concerts every did, and there doesn't seem to be any outcry about that activity. I think the plays also generate – if anyone has attended, you can barely park on any of the streets because there is so much interest in the plays that are there. So I think it has more to do with the focus of who is there, who is attending, and the communication that the museum is doing to the larger community.

LEGISLATOR ALDEN:

Because one other way that they have proposed, and it is a longer term plan, was renovation of – I believe it might have even been the seaplane hangar and do weddings and catering and things like that. So, that would generate a lot more traffic and I guess it would almost be specific to certain times and you are going to have a lot more traffic, but it is going to end up in the

neighborhood.

MS. GRAY:

Right. I think there is a problem with Little Neck in terms of traffic. It is a one way in, one way out. That is something we have all had to learn to live with there. I have less concern about what goes on at the Vanderbilt Museum than I would in a hurricane if a tree goes down and try to get emergency vehicles in. So, I think the community is becoming a little bit more sensitive that we all are trapped by one road in and one way out and people have to work together.

LEGISLTOR ALDEN:

Your position, though, that you are stating is you are not opposed to having more events and more event type things that would raise revenue for the Vanderbilt?

MS. GRAY:

No. I think we have to have more or we will lose the museum, and I would hate to see it turned into 60 more houses twice as big as the acre they are on.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEGISLATOR CARPENTER:

Thank you. Let me begin by saying thank you for being willing to put yourself forward to be a member of the board. Before I became a Legislator I was a member of the Vanderbilt Museum Board of Trustees and found it quite a rewarding experience. It is an incredibly wonderful facility and I think your perspective, listening to what you have said here today, if the immediate neighborhood does not support the museum, and I am not suggesting financially only, but the mission and realizing that this is a facility for the residents of Suffolk County, not just for the immediate neighborhood, that we could lose it and then the alternative, as you suggest, would certainly not be palatable to the neighbors. So you really have, you as the immediate neighbors, have a vested interest in making sure that the museum is all it can be, as long as it stays within the confines of what is tasteful and appropriate.

My real question was are you going to be willing to be supportive of expansion of activities, and it seems from what I heard you say in response to Legislator Alden that I get a sense that the answer is yes.

MS. GRAY:

I think that I am very supportive of things – having been a board member on obviously non-profit hospital boards, there is a compromise between what the community would like to see at a facility and what is necessary for the facility to go forward, and I think I have been fairly good at bridging that gap. I believe that we have to come up with creative ways for them to generate revenue or we lost the resource. I mean, it is just that simple.

LEGISLATOR CARPENTER:

And more and more we have been asking of late that the Trustees get engaged a little bit more in some of the fundraising, trying to come up with events that are innovative, yet tasteful, that can help bring revenue to the museum. Thank you.

MS. GRAY:

I think it is a difficult task for the museum and the trustees because of that conflict, but there are things you can do.

LEGISLATOR CARPENTER:

Thank you.

CHAIRPERSON FIELDS:

Thank you very much for coming. Your responses today I think have been refreshing. I am going to make a motion to take this out of order and I will make a motion to approve.

PRIME I.R. 1768 Appointing Deborah Gray as a member of the Suffolk County Vanderbilt Museum Commission (Trustee No. 14). (Tonna)

LEGISLATOR CARPENTER:

Second.

CHAIRPERSON FIELDS:

Second by Legislator Carpenter. All in favor? Opposed? Approved. Thank you very much. **(Vote: 5/0/0/0).**

MS. GRAY:

Thank you.

LEGISLATOR CARPENTER:

Thank you and good luck. Enjoy it.

CHAIRPERSON FIELDS:

Okay. We are going to have a presentation regarding a packet that I had sent to all of the Legislators on this committee, the Suffolk County Park Police. So gentlemen and ladies, why don't you come forward.

MR. CORWIN:

Thank you, Legislator Fields. We have a little contingent here as you can see today. Let me just —

CHAIRPERSON FIELDS:

Start with your name. Anyone that speaks for purposes of the verbatim minutes we have to have you identified on the record.

MR. CORWIN:

Sure. My name is Ray Corwin. I am the Chair of the Suffolk County Parks Trustees. With me today is starting from left is Sergeant Scott Gray, of the Suffolk County Park Police, Officer Lauren Brancatto, of the Suffolk County Park Police, Larry Hines. I think you all know Larry. Larry is the soon to be retired, unfortunately for us, Security Director for Suffolk County Parks. Next to Larry is George Proios. I think you all know George. George was integral in the production of the Parks Police report and he was a Park Trustee representing the County Executive at the time that the report was produced. And of course, Commissioner Scully. We also have, behind me is one of our other Park Trustees, Jay Miller, from the Town of Islip, and thank you for coming today, Jay. Jay was not on the committee but has been extremely supportive of the Park Police work.

I will try to organize my comments in a very succinct fashion. I know that you all have received

the report and we have had discussions individually and in small groups with many of you and many of your colleagues that are not here today. We think that the Park Police issue, we the Park Trustees, believe that the Park Police issue is certainly -- in my ten years on the Park Trustees I can honestly say this is about as significant if not the most significant issue that we have encountered.

CHAIRPERSON FIELDS:

Ray.

MR. CORWIN:

Yes.

CHAIRPERSON FIELDS:

Normally at these meetings I ask people to speak closer, but something is going on with your microphone and it is -- maybe you could --

MR. CORWIN:

We will find the right point. How's that?

CHAIRPERSON FIELDS:

That is much better. Thank you.

MR. CORWIN:

If I deviate too much left or right let me know. We'll try to correct it. We do believe that the Park Police are probably one of the most unheralded and certainly necessary and essential aspects of Suffolk County Park operations. We all know that the staffing issue comes from many County departments. I think you would be hard pressed to find a County division or department that will not tell you that they have a staffing issue. I mean, it would be unheard of, I think, to have someone tell you that they have all the staff I need, I have some extras, that kind of thing.

But in the case of the Suffolk County Parks Department, you have heard all of the statistics and all the superlatives that we have the largest municipal park holdings below the State level anywhere in the country. We have the most acres of undeveloped parkland at the County or town level in the country, and those are all extremely true statistics. They are very true.

We have a diversity -- and I know that is sort of a politically correct word these days, but we have a diversity of parks, parks themselves, not to mention park users and park activities that I dare say we would be hard pressed to find a match for elsewhere in the 50 states. We have at this point, and someone can correct me if I am wrong, over 42,000 acres of Suffolk County parkland that is from one tip of the County to the other, and we also, of course, are in the largest County in the State of New York geographically.

When you look at the map of this County parklands, and Suffolk County Planning several years ago did a GIS analysis of the distribution of park properties in Suffolk County, and you will see buried in the report about two-thirds of the way back under Situation Analysis, is what I think is one of the more startling statistics. We have talked about staffing and we have talked about salary, but when you look at the responsibilities of the Park Police, Suffolk County Planning found that there 157 locations, that doesn't mean that there is 157 parks, but there are in terms of clusters, if you take all of the parcels that are classified as County parkland and you map those clusters when they are all amalgamated together, the neighboring parcels counting as one

cluster, there are 157 locations to which officers such as Officer Gray and Officer Brancatto could be called to respond to. So the sheer magnitude geographically of the responsibilities can be very, very overwhelming.

There is also in the report a list of the types of incidents and activities and situations to which the Park Police are often asked to respond. A little bit later when Larry speaks I am going to distribute to you a sample monthly report, and I think you have seen this kind of report in the past, but I will give you the most recent two reports, courtesy of the Commissioner's staff. But it underscores what is in the report, the general categories – everything from domestic disturbances to petty larceny to more serious crimes to sexual offenses to break ins to harassment to rescues, to life-saving events. And depending on where one officer is, he or she may be called many miles away. So, the Park Police are stretched thin in terms of staffing. They are stretched thin by the physical nature of Suffolk County, and there is nothing we can do about that and no one is suggested that you eliminate some of these 157 locations of parkland. But we do have a diversity of responsibilities that needs to be addressed.

What I would like to do this afternoon is let each of the folks here with me speak on a special aspect. I am just going to give you a very brief overview right now and then I promise to yield the microphone to my colleagues here to give you a sense of what the Park Trustees found and what the following speakers kind of underscore some of the aspects of that. And really what I am doing here is looking in the section in the Park Police Report called Situation Analysis, but it actually merited in three separate areas of the report.

One area is the area of staffing. Since the report came out this Legislator and the County Executive have kindly responded with ten additional positions, and I want to first and foremost thank the Legislature for that action. That is one of the key recommendations the Trustees did have. At the time of the report there were 30 permanent full-time Park Police Officers, and of which we found that almost half of those were eligible for retirement, and I think the Commissioner will tell you and Larry will tell you that some of those folks have indeed taken that option. The number of experienced officers, which was – the percentage, I should say, of experienced officers who would mentor the new officers was low to begin with, and is getting lower as time goes on.

One of the other issues of staffing was the sort of demographics, the experience and demographics of the officers on the job. When an officer comes on and he or she is assigned to a mentor, it is there for very practical reasons, not just to tell them the nuts and bolts of here is how you start the car and here is how you patrol the route and here is how you get in this park and here is what you do over at this park. It is also how do you handle this situation. I have got a domestic disturbance, how do I handle it, how do I work with the other police agencies, what is the traditional trade-off between turf responsibilities with different police agencies.

CHAIRPERSON FIELDS:

Ray, can I just interrupt? I don't know if this was mentioned, but for the benefit of my colleagues on this committee, one point that I learned early on is that when you are trained as a Parks Police Officer you must go through the same exact training as a Suffolk County Police Officer goes through. So I just wanted to make, in case my colleagues don't know that, make them aware that you have gone through the exact same training as a Suffolk County Police Officer.

MR. CORWIN:

And I would just underscore that that is also the same training that any police officer or peace

officer in Suffolk County town, village, or other goes through as well. So there is nothing less in their training, there is nothing less in what is expected of them. The same maturity of judgement, the same knowledge is expected of them as it would of any other peace officer in Suffolk County.

One of the issues the Trustees highlighted was the salary and the pay equity issue. We found that it takes 12 years, for example, for an officer to reach top step, whereas it takes about half of that to reach the top step for other police officer positions in Suffolk County, in Suffolk County government. We think that that is a very difficult career choice for someone who loves the parks and loves the environment and likes to serve people on a recreational and parks environment to have to make a choice for their entire career based on how long it will take them to reach a reasonable salary level. We would like to give them an incentive that picking park police over the other equally vital but substantially different police opportunities in Suffolk County government, that picking the park police would be a good choice and not a choice that is an interim choice.

Another issue that the Trustees identified was that of the retirement. Now, I realize that is, to a large extent, a New York State issue, but we do want to point out that an important part of the career package that a potential Suffolk County Park Police Officer sees is retirement. We have a wide discrepancy, through no fault of anyone in Suffolk County government or anyone in State government, it has historically fallen into a couple of different categories. We have folks that can retire when they are 62, no matter how many years it takes them to get there, and we are not sure that that's – and a retirement incentive. Most police agencies in Suffolk, in New York State, have a 20 year retirement, so there is need for an improvement in the retirement situation. The best I can suggest on this is that a home rule message from this Legislature may be of great value and sort of person to person working without State Legislature delegation is probably in order there. But it is an important part of what your local park police officers see as a career prospect.

Trustees also identified the Civil Service descriptions and the testing an issue, perhaps not the single greatest issue, but one issue that does figure in. It is almost as though in some cases the County is working against itself in the case of the park police test. There is a separate park police test, which sounds fairly logical. It sounds like something that you would do if you were assigned the job of making up Civil Service tests, but it results in many cases in applicants for Suffolk County police and peace officer jobs competing – having departments, I should say, competing against each other. We would prefer that there be one test, and I realize Civil Service is a whole area regulated by separate State and County laws, but from a practical perspective, and the Trustees are just suggesting that this is one way to reduce the drift of park police officers into other jobs, is to have a single position – a single test from which applicants are picked. We talked briefly about the range of responsibilities. I won't go through that again, but that is another aspect that is extremely important. We have got literally four pages of responsibilities, both topical and geographic and functional that the park police handle. And I think the point that needs to be made, this is contrary to the popular opinion of what park police officers do, not to much among the member of the Legislature or members of Suffolk County government, but certainly, I think, among the minds of the public, of the citizens of Suffolk County.

We tend to think of park police in terms of park ranger, in terms of environmental activities. But if you spend a day at one of the busier Suffolk County parks and you just sort of watch the park police go from incident to incident, from the campground to the bathing beach to the office to the roads in the parks, you will find that they are doing a combination of standard police work, whether it is while a driving while intoxicated issue or it is a domestic disturbance at a campground or it is someone breaking into cars in the Smith Point parking lot, they are handling

the whole range. In a sense they are doing the job that a standard town or County police officer does. They have the same expectations to handle the same range of problems, misdemeanors and felonies and moving violations.

But on top of it all, we as a society have also asked them to be experts on environmental conservation law, to know when to call an ESO because there might be a poaching or a fishing problem, to know when to call a Suffolk County Sheriff's Deputy when there is an incident that is within their bailiwick, to be able to become domestic disturbance facilitators to see if they can settle issues. So we put a large set of responsibilities on the park police, and I think that is fine, it is nice to have a challenge in your job, but it is nice to be rewarded as well.

What I would like to do with my colleagues here is ask them to each cover a separate topic, and before I go on, I would just to apologize, Clark, I didn't acknowledge that you also serve as a Park Trustee representing the Presiding Officer. So, Clark Gavin is also one of our members. My apologize here. I am used to looking behind me, not in front of me.

What I would like to do next is suggest that Larry Hines may want to speak a little bit about what it takes to become a park police officer, and not just – a lot of this you'll know, but we want – the emphasis is here upon the investment, and I mean literally the dollars that the County of Suffolk invests in taking a person who walks up and says I am interested in becoming a park police officer, to the point where you get to be Sergeant Gray or you get to be Officer Brancatto and you are on the job and you have got the full range of responsibilities. By the time they put on the uniform and go on patrol they have gone through all the steps that Larry has outlined, and the County of Suffolk has invested, and I dare say, I have to say who knows how much, in order to get them to that point. Probably tens of thousands of dollars by the time this is all done.

So, Larry is going to outline a series of steps and he is going to sort of speak on what it takes to make a good, responsible, permanent park police officer.

MR. HINES:

Thank you, Ray. Good afternoon, everybody. As you know, I was a park police officer for 18 years and went through the ranks and been promoted to Director since 1987. I would like to talk today about what it is and how you become a park police officer.

The first thing you need to do is fill out a Civil Service application, and then on the day you take a written test. The test results take about six months, and after the written test results come out you are put on a list. When the list – if you score high enough, you are called by Civil Service to take some qualifying examinations, such as a physical and medical, a psychological evaluation, a qualifying physical agility. Once you pass that part, those first four parts and you score and you pass, then they call you in for a seminar. During that seminar, you are given a packet to fill out so that the investigators from the Police Department can go through that packet to see if, in fact, this individual meets what a police officer qualifies.

What I just read you is the same qualifications for all police departments here in the County. Once the Police Department does an investigation and they find you to be a good candidate and you score high enough, then the Police Academy, when the next class is available, then you are assigned to the Police Academy, which is approximately six months. After you go through all the components at the Police Academy and you pass, then you go back to the Park Police and you work with a training officer. You are assigned to a training officer for about six months, and then a full report must go in to the Police Academy that that officer has met the criteria.

Why I am going through this is because of the investment that the County Parks has put into this individual. Right now in the last 30 years we keep one in five officers. What do I mean by that. I mean if our officers are on other lists, Deputy Sheriff, other Police Departments, they leave us, and they leave us for one reason, because of the benefits. They leave us because, as Ray said, it takes 12 years to get top step, the retirement, and they have to think of their families and their financial well being. When we do an exit interview, they come out and tell me, Larry, we really don't want to leave, we really love the parks, we love what we are doing, but we have got to think of our families. We put quite an investment in these officers.

I went to the top cop award last May, and I was in the audience and the Commissioner was there. Three out of the 10 officers that won top cop had worked for us. The officer from Shelter Island, Westhampton, Southold. They were officers that worked for us and left us to go to another agency. I hated to lose those officers. And with the investment that the County has made in all their parkland in the 32 years that I have been in the department, I just can't see us losing these officers. We are losing them for the wrong reason. I am not say here today that we should pay them the most in Suffolk County. I am saying here today that we need to be competitive and we are not.

As you know, as Ray had said, our parks run from Huntington to Montauk. We have the five western towns, which is the County Police, and the five eastern towns that we must interact with on a daily basis. It is important to work closely with these other officers, and we have been recognized as being a professional department and we work hard at it.

So I hope you do take the time and you read the report. A lot of time and effort went into it, specially it talks about the history of the department. I would just like to see after I leave that this department continues to go forward in protecting its citizens here in Suffolk County and their natural resources. Because as you know, part of the job of being a park police officer is we have got the mission of providing health and safety to our residents that visit our County parks, and we must work closely not only with the public, but our own lifeguards, EMTs, and our operations people, to have a cohesive working relationship by the end of day that people come and visit and they go home safety.

This has been dear to my heart for almost 32 years and I am glad you gave me the time today to talk about it. Thank you.

MR. CORWIN:

Thank you, Larry. What I would like to do at this point is ask Sergeant Gray and Officer Brancatto their own perspective on the needs for the park police in terms of retirement, in terms of pay, in terms of their perspective on the job. It is fine for us to sit here as Park Trustees or as the administrators for members of the park police, but they are on the job, literally, and their view is one that you can't have unless you are doing that work. So, if I could be so intrusive, folks, I would like to ask you for a few comments.

MR. GRAY:

Thank you for this opportunity. My name is Sergeant Scott Gray. I have been a park police officer for 17 years and a sergeant for seven years. I am just going to briefly give a perspective of a frontline supervisor.

When I started this job we had about a dozen more people than we have now, and the amount of parkland that we cover is doubled, so we have a problem with that. I would also say that the people that we are losing are the best people. It is just the nature of the system, the way it is

structured now. We are going to lose the cream of the crop, and that is what has been happening. I think that is unfortunate because we have a model park system. I think you could hold it up nationwide as a model county park system, and there is absolutely not reason the County park police should not be a model system, but we do have this stumbling block of retention. They say one in five, which is unheard of in any police force.

When I came here 16 years ago, I was a correction officer, and I was treated as a promotion coming to this job from the corrections. In that 16 years, if you look at it now, it would be a huge demotion to come over here from corrections. You can see how relative we have fared over the years compared to any other law enforcement job, police officer or peace officer, in this County. You can look at the Islip Town Rangers, who are not even law enforcement. They don't carry weapons or basically are like code enforcement, make substantially more money than us. We don't think that is right, and certainly the newer officers who are coming on the job now, who are really like top qualified people, don't think it is fair, and they are looking. Lauren here, is among – you know, we brought her in here to show you as an example of the kind of people that we stand to lose.

I would just hope that you do entertain the report and the instep hiring is very important for the newer people. The 20 year retirement is very important as a recruitment tool, and also salary upgrades, because if the instep hiring does come to be, these people are going to be looking at say possibly six years to a low top salary, so it is not going to work as a retention tool unless they have some kind of a top salary which is competitive with other jobs in the area.

I am going to turn it over to Lauren. I thank you for your time.

MS. BRANCATTO:

Officer Lauren Brancatto. I have been on the job for three years, and I have to tell you that I love my job. I went to the parks long before I was hired. I camp with my children out at Cedar Point every year still. I love the parks, I love my job. It was rigorous training. I think that it was wonderful training, and we do have a huge responsibility.

The public awareness, there is a problem there. I mean, the public really isn't aware, as are other law enforcement agencies, they are not really aware many times of what our responsibilities entail. When I leave a park and I am traveling on the Northern State or the Sagtikos Parkway and I have a drunk driver in front of my, I am obligated, it is a public safety issue. We are all concerned with the safety of the public, that is why we get into law enforcement.

The bottom line is that I would love to stay with the park police, but I am on other lists, as are half of the guys I work with. Half of us patrolling for the parks are on other lists and we will have to take those other jobs because we can't afford to stay, and that is really the bottom line, and it is a shame because we all love this job. We'd love to stay, but it is a matter of survival and we hope that something can be done about it, we really do.

MR. CORWIN:

Thank you, Scott and Lauren. Thank you very much. We have two other folks here, and I am going to offer them the chance to make some brief remarks here. I am going to as the Commissioner when he speaks if we have missed any salient points that you think need to be sort of highlighted for the committee I would to ask you to do that. First, George, as a member of the committee that developed it, if you would like to offer a few remarks I would be grateful.

MR. PROIOS:

I can't overestimate what Ray had said, that this is a critical issue. Actually, it was a critical issue years ago that we should have addressed back then and didn't. This early retirement incentive is just exacerbating what was already a bad problem. In fact, we fit under a more generic problem in that we don't have a program in this County that recognizes the need to have training available by, as Sergeant mentioned, the cream of the crop before they leave. We only recognize that we have a problem after they have left. We don't have an internship program, and the Parks Department is a great place to recognize the value of having that.

I am putting on my other hat because we coexist, the parks police and the Central Pine Barrens, we have relied on Larry and the Parks Department to help provide the enforcement mechanism for the Pine Barrens Program. Since the law took effect in 1993, there has not been one cent given by any level of government for additional enforcement within the Pine Barrens. We have had to rely on some of these people doing double duty in terms of helping to provide the added enforcement for the thousands and thousands of additional acres we purchased.

One of the first things I did when I took over chairing the Pine Barrens Commission with the County Executive was to find out who was knowledgeable about the issues or what the problems were, and somebody pointed me in the name of a Sergeant {Mueller}. I contacted him and I asked him if he would show me around of what was going on at Pine Barrens, and he said how good are your kidneys. I said what do you mean. He said, well, it is pretty bumpy out there and it is a rough ride and we have old beat-up vehicles out there, but if you are willing to go – and he took me out for a day, showing me all of the problems of dumping, the illegal activities and what was going on there, and I spent several times since then going out with him.

He is a very dedicated individual, and one that now who is leaving – or who has left – who doesn't have the opportunity to train people who would benefit from his many, many years of knowledge on the site of what is going on there. So maybe next year we will have some new recruits coming out and they will spent six months, but not with Sergeant {Mueller}. I would love to be able to pull him back from retirement and say can you act as a consultant for us for some of these new recruits to tell us everything you have learned in your many years out there in the Pine Barrens. He had a love of the Pine Barrens, it wasn't just a job. He was out there because he felt he was doing something important.

We need to have, as a side approach to this whole issue, some way to provide – I guess what they usually call it, an apprenticeship program, so then before we lost key individuals that the new people are already on board learning from these people who are the cream of the crop that have vast amounts of information, and we are losing that now. By the end of next year we will know what the total tally is, and we will lose hundreds of people in this County who have a tremendous amount of wealth of information.

But the parks was integral. I am sorry that Larry is going to be leaving because I am not sure how we are going to continue the Law Enforcement Council, but that is a very important aspect of the entire Pine Barrens Program. Without the parks police, their efforts, Chief Peters is another one and I hope he is not going to be leaving soon, but their efforts were the ones that made this whole enforcement for the Pine Barrens take place without an additional personnel. So to the extent that the Pine Barrens Commission is also important to this County, it is pivotal that the Parks Department be – the Police Department be maintained in order to provide us, the Commission, with the ability to do the enforcement, because the State hasn't provided it to us, no other level of government, and we are relying on the County to help provide that needed

support.

I only want to just add on to everything that the previous speakers said and the additional thing is that they provide so much more beyond just the normal functions that you find in your own County Code. It is important to the whole workings of this State preserve, the Central Pine Barrens. Thank you.

MR. CORWIN:

Commissioner, would you like to add any astute thoughts to what has already been said?

COMM. SCULLY:

Just real briefly. I have to tell you that Ray and I have met with the County Executive on the issue, and he is certainly aware and sensitive to the situation and the need. The situation involving the parks police is an historic one. It has been going on for some years, but I think it is a little bit different situation now because as one of the speakers mentioned, it is really a whole different ballgame since the parks police have taken over a primary role for protection of the Pine Barrens Watershed and all the thousands and thousands of acres that this County has invested taxpayer money in for the specific purpose of protection the underground water supply. I needn't tell you, especially in the wake of last September 11th, that threats to the water supply are a serious matter, and that responsibility, I think, over time will be seen to be a very, very serious one.

From time to time prior to the enactment of the Pine Barrens Protection Act, there have been discussions about other agencies taking over some of these responsibilities. In fact, in the 70's there was some swapping back and for with the Sheriff's Department. I don't think we are at a point now anybody can make the argument that any other agency can take over these responsibilities. Certainly we have facilities flung all the way out on the end of the forks, well outside the Suffolk County Police District, so the practical implications of suggesting that the Suffolk County Police could take them over are a little bit scary.

It is a near crisis, I guess, to the extent that so many of the officers are eligible for retirement and we could lose them in one fell swoop. The ones that are younger and are not yet eligible, as Officer Brancatto indicates, are all on lists and awaiting calls from other departments and really have no choice, as she indicates, from an economic standpoint but to take advantage of those opportunities.

Ray indicated earlier, and I underscore his thanks to both the County Executive and the Legislature for adding positions in this year's budget, which is a difficult thing to do in this fiscal climate and a big decision to make. I have to tell you that we make several appointments earlier this year. We were pleased to put on board four park police officers, and within weeks of beginning service, one took off for the State of Connecticut. It is just a never ending situation with a revolving door.

It all boils down in the end analysis to resources, whether we have resources to deal with these issues, and I think that part of the problem is that the County Executive and the Legislature face some very difficult budget decisions, especially in this fiscal environment, and these issues are always considered in the context of the overall – of the general budget, which makes it difficult for them to provide more resources. The policymakers have never been really provided with any options outside that general budget construct to deal with these challenges, and we need to look at what potential is there for us to develop alternative funding other than what is in the general

fund. I know that is something that we will be taking up in the coming months.

As I indicated, there are no easy answers. I have watched with pride the parks police and the Parks Department employees in general and the effort that they have put forth. As you know, I have pretty significant experience at other government agencies and have to tell you that you come in contact with employees who are always there for you when you need them or provide the extra time that you need them without trying to get it back or those folks who are always looking to get out as soon as the second hand passes the twelve, and these are folks who stick around as long as they are needed.

I know that one of the difficulties is that we are not sitting here saying to you or the Trustees in presenting this report that was a result of such hard work on their parts, are not saying we need you to do this thing. They are not saying vote for this and we will solve the problem because there is no easy solution. But I think it is important that you be aware that we face this type of challenge and it is something hopefully that we will be coming to grips with over the course of the coming year.

MR. CORWIN:

I would offer just a few concluding thoughts. I am glad that Peter ended on the thought that I actually could not elucidate on my notes here as well, that there is no simple solution. When I used to work in the aerospace industry they used to talk about there being no silver bullet, no perfect weapon, and there is nothing that we can build, construct, pass or state that is going to make the problem go away by next Monday or the next pay cycle. That, however, can't be the basis for confused inaction on the part of any of us. I think the Legislature's action in adding the 10 positions was an absolutely wonderful start, and I just want to say that is the kind of tangible action that we were delighted to see taken, and we know that that was not easily realized that there were trade-offs in other areas of the budget that had to be taken. But I think it was an acknowledgement that public safety was essential.

Peter mentioned about the most recent example, one of many historically officers that the County has Suffolk has trained and equipped and given their start in law enforcement going off to other agencies, well, to the extent that the other states and municipalities in the country might pay better or have more alluring packages, there is not much we can do about that. But there is something that we can do to kept the drift within Suffolk County happening. It is kind of ironic that some of the drift that occurs from the park police goes to other County agencies to our sister towns. We all come from some town or we call come from some other municipality in Suffolk County where law enforcement is an essential feature.

To some extent it is almost as the County in training officers and then having them leave to other areas is dare I say they are almost de facto providing a subsidy to these other areas. It is – and in one of my weaker moments I joked with the Commissioner that it might be cheaper to calculate that and just write a check to those other – it is easier to send a check to the State of Connecticut than to send an officer. And I am I am not seriously suggesting that obviously. It is an ironic corollary observation that comes out of the situation to the extent that we could at the very least provide an incentive for the park police officers to stay within that division of the County of Suffolk. That would be tangible, tremendous progress.

I would just like to end on the final which is a great observation that Sergeant Gray had a moment ago, and it is one of those encapsulation statements, it just rolls off the tongue and I think the presentation needs to end on a positive note. He remarked that we have a model park system and therefore we should have a model park police system. So, I think that is a goal that

we have to work toward, and I know there is no silver bullet, there is no magic incantation that we can offer that will get us there, but we look forward to working with this committee, just sort of rolling up our sleeves and coming up with what can be done on each of the recommendations. And we are open to suggestions for changes in those recommendations. So thanks for being so patient. We will be happy to answer questions or discuss this.

CHAIRPERSON FIELDS:

Legislator Carpenter.

LEGISLATOR CARPENTER:

Thank you. That certainly was a thorough presentation. You made reference to the fact that half of the police officers that are there now are on other lists. Is there a current list for park police officers, and if so, how many are on that list, for us to be recruiting from.

MR. HINES:

Yes, there is a current list. There is approximately 25 on that list right now.

LEGISLATOR CARPENTER:

When was the last time the list was reviewed to see if that 25 is real or if they have gone elsewhere while they are waiting to be called?

MR. HINES:

Last January when we hired four officers. That is the last time that we've hired off that list.

LEGISLATOR CARPENTER:

So that list of 25 may very well be 10, or could be.

MR. HINES:

It could be.

LEGISLATOR CARPENTER:

I think that is information we need to have. And how long is that list good for?

MR. HINES:

The new test has just been announced with Civil Service. It is going to be given this fall. The date of the test is October 19th, so there will be a new test this fall for the park police.

LEGISLATOR CARPENTER:

Thank you.

CHAIRPERSON FIELDS:

What happens to the people who are on the old list on October 19th, or whenever that – did they fall off the list and then a new list starts?

MR. HINES:

What my understanding is that list will still stay active until the new list is established off the new test.

MR. PROIOS:

And as Larry said earlier, if there is some way you could impose upon Civil Service to try to get the exams graded below six months time. I mean, that would be crucial because by the time

they give it and they get the results and then go through each one of those phases and through each phase you lose, almost, I think Chief Peters said 20% of the applications even from the first orientation class. They go out to lunch, and a lot of people never come back because they hear all the rest of the requirements and they don't want to go through with it. So if that can be shortened in any way, we have computers to do grading, and there should be a way of trying to speed that process up so at least the people at the Parks Department can start to call for interviews will be happening before next spring. Otherwise, the rate it is now, you are talking about almost a year before you get down to the point where people are going to be entering the Academy, not knowing when the Academy is even scheduled for it. If you miss that date for the Academy by a month, you are going to wait another entire year before you can get anybody in.

CHAIRPERSON FIELDS:

I just have one question and then Legislator Foley has a question. We have now how many parks police that are currently employed to date?

MR. HINES:

Our budget is for 41 officers.

CHAIRPERSON FIELDS:

The budget is for 41. And how many are employed presently as parks police officers?

MR. HINES:

Approximately 34.

CHAIRPERSON FIELDS:

And out of the 34, how many have actually physically put in the papers for early retirement?

MR. HINES:

Three.

CHAIRPERSON FIELDS:

And the date for expiration to put the papers in is August 10th. Okay. Legislator Foley.

LEGISLATOR FOLEY:

Thank you, Madam Chair. Just on the last point, Mr. Proios, with the Civil Service Division or Department. I am sure that the Chair will speak with that department. I think what also made great sense for the Park Trustees to reach out, as you are reaching out to this committee, to reach out directly to Mr. Schneider with these very concerns. I know the Commissioner will do the same, but if the Parks Trustees does, I think that makes eminent sense.

The second point I just wanted to make, if, in fact, Larry Hines isn't here at the next committee meeting, was to thank you for all your years of County service. While either as an Aide or as a Legislator, you have always been very responsive when I have called, when my office has called. I just want to wish you the best of luck in the years ahead. Hopefully you will be staying in Suffolk County, and whatever legislative district you live, I am sure you will be one of the more active constituents. So, congratulations on your years of service, Larry.

MR. HINES:

Thank you.

CHAIRPERSON FIELDS:

Larry will be with us on the August 22nd meeting. Anybody else? Legislator Lindsay.

MR. LINDSAY:

I am not sure who said it during the long presentation, but you mentioned that you met with the County Executive. Was it you, Peter?

COMM. SCULLY:

Once the Trustees had completed their work on this report, I know that Ray as the Chairman of the Board met with the County Executive and asked me to attend to just explain what the Trustees were doing and why and that sort of thing.

LEGISLATOR LINDSAY:

I know it was mentioned that, you know, you realize there is no silver bullet. I mean, did he have a silver bullet? I mean, because we approved slots. If he doesn't fill the slots, you know, we are exercising –

COMM. SCULLY:

Just to correct the record, because there was a little bit of confusion, I think, with regard to the process. The ten officers that were added to the payroll, or the slots that were added in 2002 were actually included in the budget by the County Executive's Office in the County Executive's recommended budget, so it was the County Executive who placed them, but we were very, very encouraged to see in the fiscal constraints that the Legislature was dealing with during last year's budget process, the Legislature saw fit to maintain those. And the County Executive's Office did early this year release each and every position for us to fill.

LEGISLATOR LINDSAY:

Were all ten spots filled?

COMM. SCULLY:

Yes. We had all ten spots filled. We have people in the Academy.

MR. HINES:

We have seven in the Academy right now.

COMM. SCULLY:

Necessarily what happens is that once we appoint somebody who is not yet a certified police officer, we need to send them to the Suffolk County Police Academy, which is –

LEGISLATOR LINDSAY:

So there is seven in the pipeline now.

COMM. SCULLY:

Right.

MR. HINES:

That is correct.

COMM. SCULLY:

So once that six month service in the Police Academy where –

LEGISLATOR LINDSAY:

Just taking it another step further. What was the County Executive's reaction to the pending crisis here now?

COMM. SCULLY:

He observed that there are – the one thing that the Executive Branch could do unilaterally is to propose the addition of positions, which they were quick to do. At the time that we made our presentation to the County Executive, the department had already submitted its proposed 2002 Operating Budget. The County Executive went back and added those positions in response to our presentation, which we were pleased to see.

The other issues that pertain to compensation levels and the number of steps in the grade and salary plan are a little bit more complicated because in many instance they are collective bargaining issues, which involve, you know, the Association for Municipal Employees. There is no unilateral ability on the part of the Executive Branch to deal with those.

The parks police officers have from time to time taken advantage of the salary and appeals process, and I know that there is an application now pending before that board for consideration for an upgrade of the title.

So the one thing that the County Executive, I believe, felt he had the power to do quickly and unilaterally was to add positions to his recommended budget, and that is what he did.

MR. PROIOS:

Prior to Peter's meeting, when there was a draft out, Ray and I also met with the County Executive to go over all of the draft recommendations, and he supported all of them. And the conclusion we came to is that we need to have a multi-prong approach depending on who the final authority is going to be for doing the implementation of several of these recommendations.

So, for example, for the issue on the retirement system, if the Legislature was prone to go along with something like that, along with there was approval with the bargaining units, he would have to include that, he said, in his annual message to Albany when he goes up there and request in State legislation. He told us that what we should be doing is meeting with various different factions, whether it is Legislators and/or people in the unions, to understand what the issues were. And as part of that I have started to talk to some of the reps, like in the Dennison Building, to explain to them that even though currently the parks police are within the general bargaining unit of all the other Civil Service employees, that they are in a sense an anomaly. They are not like a sanitation or like any of the other positions that we have. They are more akin to the law enforcement people, and would there be any objections to treating them like we treat the Sheriff's Department or the Police Department. And the people I have talked to said no, they recognize the differences there, and it is odd that they are being treated separately.

We need to get the approval of the white collar union in order to sit and put them in a different place, and I think the fear was that they wanted to make sure that this was a unique situation and that other parts of the bargaining unit wouldn't look to be relocated somewhere else. And I think we can make the good argument that this is a one-time unique situation from the parks police.

COMM. SCULLY:

If I could just add one other thing and then I will be quiet. Several Legislators have indicated

that we should make sure that the Director of Civil Service is aware of these concerns and I have to tell you that I did meet with him personally over the last eight months, and found him to be knowledgeable and receptive. There is a little bit of concern, I think, generally about the issue of whether or not the position of the parks police themselves or those who are advocating on their behalf, that they should be compensated at the level of Suffolk County Police Officers. And I think that it is important to put on the record that I have never heard anybody suggest that that is the case. They have always taken a look at themselves as a result of the fact that they were initially appointed off the same list as the Deputy Sheriffs, and said, you know, that is really where we need to be.

CHAIRPERSON FIELDS:

What was the response from Alan Schneider?

COMM. SCULLY:

The Civil Service issues pertain to the job description contained in Civil Service specifications. That was a big issue with Civil Service. We are in the process of working with him now to revise those to more accurately reflect the actual duties of the parks police, and that is the result of his agreement to undertake that for us.

CHAIRPERSON FIELDS:

How long will that be before you can present an updated job description to him? Who is actually working on that?

COMM. SCULLY:

On my staff? Most recently the Assistant Security Director, Larry's assistant, Steve Laton, has been working with Civil Service as recently as this week. They are reviewing a draft that we submitted for their consideration.

CHAIRPERSON FIELDS:

Okay. Well, I thank all of you for taking the time out of your normal and busy days to present all of this information and to educate the panel on more about what you do. Certainly I think we all sympathize with what you are going through and I will speak on behalf of myself, but I think that my colleagues would agree that we will try to do everything that we can to make a difference and move forward to help and assist in making it a model police force as well as model park system. So thank you very much for your input and your knowledge and your research and your work and your presentation. Thank you.

MR. CORWIN:

Thank you for your time.

CHAIRPERSON FIELDS:

We are going to move on to the agenda.

TABLED RESOLUTIONS

PRIME I.R. 1028 Requiring anti-theft surveillance cameras for county park concessionaires. (Caracciolo)

Commissioner Scully, can you come back up? Thanks.

COMM. SCULLY:

Once again I recommend tabling this. The department is in the process now of getting ready to go out into the field to do preliminary assessment of internal controls and cash handling at its locations as a result of my discussions with the sponsor.

CHAIRPERSON FIELDS:

I will make a motion to table.

LEGISLATOR CARPENTER:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

PRIME I.R. 1276 To implement retention of technical consultant in connection with Forsythe Meadows property damage. (Fisher)

Commissioner?

COMM. SCULLY:

Again I would recommend tabling.

CHAIRPERSON FIELDS:

Why? We have tabled this about, I don't know, four or five times now.

COMM. SCULLY:

I think that the primary reason is that the legislation in its current form contains several blanks where a consulting firm would need to be named and I haven't spoken recently with the sponsor about it, but I know they were awaiting a determination by the Ward Melville Heritage Organization as to whether or not they are going to relieve us of an obligation to install a fence at the Forsythe Meadow property, which I think is going to be a determining factor in terms of where we go on this issue.

You may recall that this is a dispute that arose as a result of the installation of a fence on the property and some damage that occurred as a result of the installation activities. With the Division of Real Estate and Legislator Fisher we have been negotiating with the seller of the property to undertake some remedial activities or the consensus was that we would wait until a determination is made as to whether or not additional fencing needs to be installed before we can move forward. We are now awaiting a response from Ward Melville Heritage Organization to a formal request from my office for that relief.

CHAIRPERSON FIELDS:

Can I ask that you in writing request another – request a response from them as soon as possible? This was laid on the table March 19th, and it would seem that something should have been done between now and then. It looks like they have all the names of the people that they would consider. It just doesn't seem like we shouldn't be making that decision and I would like to resolve this by the next meeting.

COMM. SCULLY:

Okay. I will make a point of speaking to the sponsor and seeing what her feelings are in terms of proceeding with it. Obviously it is an initiative of hers and not of my department or the

administration.

CHAIRPERSON FIELDS:

Motion to table by Legislator Carpenter, seconded by the Chair. All in favor? Opposed? Tabled.
(Vote: 5/0/0/0)

PRIME I.R. 1337 Amending the 2002 Capital Budget and Program and appropriating funds in connection with the restoration of Smith Point County Park. (County Executive)

LEGISLATOR FOLEY:

Motion to table, Madam Chair.

CHAIRPERSON FIELDS:

Second. All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

PRIME I.R. 1394 Authorizing, empowering, and directing Suffolk County Parks Department to secure acoustics evaluation for trap & skeet shooting range near Southaven County Park in Yaphank, Town of Brookhaven. (Fields)

Motion to table.

LEGISLATOR FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

PRIME I.R. 1397 To establish Community and Youth Services Program at Sheep Pasture Road in Port Jefferson/Setauket, New York. (Fisher)

I believe that should be tabled again. They are still awaiting some other documents, I think. I will make a motion to table.

LEGISLATOR FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

IR 1644 – excuse me?

LEGISLATOR FOLEY:

1543.

CHAIRPERSON FIELDS:

I have 1644.

MR. SABATINO:

It is an updated version.

LEGISLATOR FOLEY:

There is a motion to table, anyway, Madam Chair.

PRIME I.R. 1543 Amending the 2002 Capital Budget and Program and appropriating funds for resurfacing of Smith Point County Park parking facility. (Towle)

CHAIRPERSON FIELDS:

Okay. Motion to table by Legislator Foley. I'll second it. All in favor? Opposed? Tabled. **(Vote: 5/0/0/0)**

PRIME I.R. 1644 A local law to establish Code of Conduct for sports and recreational activities on Suffolk County property. (Fields)

I will make a motion to table.

LEGISLATOR FOLEY:

Second.

CHAIRPERSON FIELDS:

All in favor? Opposed? Tabled. **(Vote: 5/0/0/0).**

We already dealt with 1768 and that was approved. I will make a motion to adjourn.

COMM. SCULLY:

Madam Chair, if I may. I hate to trouble you further because I know the meeting has gone on somewhat long. There is a matter I need to brief the committee on pertaining to use of County parks by dog owners. I had spoken with you about it briefly and I did touch base earlier with Counsel's Office just to advise him that I have been in discussion with the County Attorney's Office on an issue that some legal implication, so I thought I would bring it to your attention. I need to get a little guidance, I think.

Again, thank you for your time. What I have just handed you is a copy of the Parks Rules and Regulations as they exist in the County Administrative Code. The reason I have done that is that we need to talk a little bit about those rules and regulations and what appears to be an inconsistency between the rules and regulations and long-standing practices in Suffolk County parks.

Earlier we had the benefit of the presence of Larry Hines, who has been with the department since the early 1970's, who has advised me that long before his presence with the department the County has generally allowed domestic animals on leash in County parks.

The reason I come to you today is that when I was appointed in April of 2002, one of the issues I was immediately confronted with was the issue of dog runs in the parks. As I inherited the department there was an existing dog run, a fenced dog run, in West Hills County Park. My predecessor, as a result of work with former Presiding Officer Hackeling, had designated an area in the lower portion of Coindre Hall or West Neck Farm in Huntington as an off-leash dog area, and I became aware that that was a source of some controversy. I had spoken with some individuals who felt that we should be doing a better job controlling that use and that activity, and I also have been contacted by some individuals who felt that we should lay off our restriction of the upper portion of the property to leash dogs only.

Last year the Town of Huntington closed the dog park and began to work with Legislator Cooper's office on the concept of establishing a fenced dog run at Coindre Hall. It is an issue that had

been considered in 1996 by the Suffolk County Historic Trust. The Council on Environmental Quality, its role as the Suffolk County Historic Trust, which has jurisdiction over Coindre Hall, and rejected.

I had received inquiries from a group called the Huntington Dog Owners Association asking me to at least expand the permissible hours for the off-leash use at Coindre Hall from between six a.m. and eight a.m., as my predecessor had left it, to include some afternoon hours. And it was during the discussion of that possibility that I decided I would look at the parks rules and regs as they pertain to animals in County parks. To my surprise, I found that under Section 378-4 prohibited acts, 378-4 subsection 5 prohibits people from bringing in or permitting horses, cattle, livestock, domestic animals of any kind on any parkland except that a dog or a cat may be permitted on a leash restricting them to the immediate areas of campgrounds and outer beaches.

In other words, we have legislation on the books that says the only place we can allow folks to have dogs on a leash in the vicinity of a campground or an outer beach area, and we have a long-standing practice that dates back at least until the early 70's of allowing people to walk their dogs on leash in parkland generally, which would seem not to be in conformance with that specific rule or regulation.

Further, with respect to the issue of dogs off-leash, there is an outright prohibition on animals at large which would seem to be in conflict with the practices that we have underway in West Hills where we have a fenced dog run and at Coindre Hall, where we have an unfenced area designated.

In my conversations with the County Attorney's Office, they have expressed concern and asked that I come before you, advise you of the issue, and just discuss with you the fact that we will in all likelihood be suggesting an amendment to these rules and regs, which were enacted by the Legislature, to deal with the issue of animals on leash, to at least bring that practice, bring the regulation into conformance with our existing practice in terms of allowing folks to walk dogs on leash. I do not believe on the basis of my conversation with them today that we will be offering an amendment that includes a blanket allowance or any allowance whatsoever for dogs off-leash. I know that is going to be the subject of considerable debate.

My purpose for coming before you today specifically is to (a), make you aware of what we've identified, how it could have existed for all these twenty some-odd years without anybody having identified it, I don't know. But having identified it, I think it is my duty to try and bring things into conformance with practice and to see if anybody has any comments regarding the on-leash issue. Even as we move forward to implement an amendment to the rules and regs, if it makes it permissible for folks to walk dogs on the leash at the parks, I need to consider how that might be received over here to determine whether or not I should begin to control or take any prompt action, control that activity pending the enactment of the amendment.

So, that is what I needed to tell you today. As I said, I did touch base with the Office of Legislative Counsel this morning just to advise him I would be briefing you. He made me aware that there is a piece of legislation dating back to 1998, sponsored by Presiding Officer Hackeling, authorizing the department to construct dog runs within County parks, and specifically it references West Hills in one of the resolved clauses, but as a general allowance in the second resolved it doesn't deal with the issue of the regulations and whether or not they comport with that. I needed just to advise you of that. I think I have provided you with as much information as I have now. I will try to answer any questions that you may have, and I am interesting in hearing any thoughts that you may have as well.

LEGISLATOR LINDSAY:

Madam Chair.

CHAIRPERSON FIELDS:

Legislator Lindsay first.

LEGISLATOR LINDSAY:

Peter, so is the department recommending that we modify the regulations to bring in to what is the practical compliance out there?

COMM. SCULLY:

With regard to the issue of allowing domestic animals on leash, the answer is yes.

LEGISLATOR LINDSAY:

Okay. Maybe, I mean, some kind of provision could be put in there that on leash in designated areas that the department – to leave it open-ended if you do come up with an area that you can let dogs run, you know, free. Give yourself some kind of leeway that doesn't have to be changed --

COMM. SCULLY:

I will discuss that possibility with the County Attorney's Office. One of the things that I think they are concerned about, you may have seen articles recently about an incident in the Town of Huntington wherein there was an attacked by allegedly unleashed dogs by the leashed dogs of another individual who subsequently was bit himself and apparently bit the dog that bit him, and they are a little bit concerned about the inherent liability issues, I think, that are at play there.

CHAIRPERSON FIELDS:

Legislator Alden.

LEGISLATOR ALDEN:

My office only gets complaints about dogs running in the park and chasing people, like even kids that are playing, and I don't think I have any parks in my district, so it really is people from my district going outside of the district and visiting County parks. The only other complaints that we get are people not cleaning up after their animals.

CHAIRPERSON FIELDS:

I have a couple of thoughts. One is that one of the principle problems that we have with point source pollution is dog and cat feces. And particularly in Legislator Carpenter's area there is a wetland right in Gardiner Park, which it is contrary to what you really want when you have a wetland, is to have a number of dogs that are – since we don't have pooper scooper laws here in the County, I think that is a problem.

The second part of that, I think, is that most people that I have spoken to think that it is illegal to bring their dogs to a park, so that in essence prevents them from bringing their dogs. If we were to say okay, we actually do allow dogs on leash, I think it would increase the amount of dogs that people do bring to the park.

The third thing that I have in my mind is that even when dogs are on-leash, I have watched dogs walking their masters. I think it still presents a liability issue. And fourth, I just recently got a

letter from a woman who is concerned about worms and when the dogs walk and then people in a park sometimes take off their shoes and socks and step in it, and I think we need to know what diseases can be transmitted through dog feces to humans and to other dogs. And maybe we should enact a pooper scooper law that if you get to the point of allowing dogs to be on leash, which I don't think that I would be in favor of, then perhaps those masters should be cleaning up after their pets.

LEGISLATOR CARPENTER:

May I? Gardiner Park is in my legislative district and probably some of the people from your district that are complaining are coming over there. But dogs are permitted in Gardiner Park. The signs are posted. For the most part, people are keeping their dogs on a leash and you'll notice if you are walking sometimes as you are approaching someone and the dog might not be on the leash, they immediately put them on the leash because they know they should be when others are around. I am talking about very early in the morning.

We have put a pooper scooper kind of contraption at the park so that people can clean up after their dogs and they do seem to be using it. It seems as many calls as you get from people complaining about dogs, you get twice as many, they seem to be more passionate, those that have dogs and want the opportunity to be able to walk their dogs in the parks.

I appreciate you raising the issue. Certainly if we have got law that is contrary to what we are doing we need to come up with something that makes sense. I would – I hear what you are saying, Legislator Fields, about, you know, broadening it any more than – I really think you have to have designated areas. I don't think you can have a blanket they can walk the dogs in the park.

At Gardiner Park, it is that main path and then there is the other dog, you know, there is an area that is fenced and there is a sign there that this is the dog walking area. I think you have to be really clear, because those that have dogs and want the opportunity to walk them certainly have that right, but so too those who, you know, may be afraid of dogs and don't want to have to confront that issue when they are going to the park. It is not easy.

CHAIRPERSON FIELDS:

Legislator Alden.

LEGISLATOR ALDEN:

Commissioner, do you have a summary of maybe what New York State does, because I am trying to think, almost every park that I have been to, Robert Moses, Sunken Meadow, Heckscher, they have prohibitions against any animals, whether they are leashed or just even roaming free.

COMM. SCULLY:

My impression is that that is true. We know that it is true with regard to their campgrounds, and I had Mr. Hines calling around today to confirm their policies at all of their other State parks. I will have a better handle on that by the end of the day, I hope.

LEGISLATOR ALDEN:

You might want to contact them, and the reason why I raise the point is they might have some insight as far as liability issues, if there were lawsuits over the past years and things like that. We could craft our law to maybe reflect some of the experience that they have had.

COMM. SCULLY:

Thanks for that.

CHAIRPERSON FIELDS:

The other addition, I think, I have to that is the long testimony that we just heard regarding the inability to patrol our parks efficiently and sufficiently as it is with the lack of parks police. So, you know, if we are concerned about liability and we are concerned about people complying to leashes and leashed and unleashed dogs, then this is just going to promote an even further problem where you might end up having to host a police officer in those parks that allow dogs in them to make sure that people are on leash. So, I think it is going to present even further difficulties, but I guess we will see as we go along. Go ahead.

LEGISLATOR ALDEN:

Can I ask Paul Sabatino just one quick question? When you have a local law, and I am just guessing that that is what it was that former Presiding Officer Hackeling passed that allowed the dog walks, and you have – this looks like Suffolk County Code. Which is controlling?

MR. SABATINO:

Former Presiding Officer Hackeling's bill was a resolution, it wasn't a local law. The provisions that the Commissioner is commenting from is also a resolution, so it is not a situation where you have got a local law superceding resolution. What you have to do is you have to try to harmonize all of the provisions. I don't think they are inconsistent. I think the reason that Presiding Officer Hackeling had proposed the legislation back in 1998 was because dog runs were not being permitted at County parks. In fact, when I checked this morning, the original bill had specifically targeted another three sites. It was going to be three sites plus West Hills, but then the final version was a compromise to only specify West Hills so there would be one site and it was left to the discretion of the Commissioner for the other sites.

So what you have is you have specific authority to be at West Hills, plus other areas determined to be appropriate by the Commissioner subject to the restrictions that you are reading here with regard to whether they are leashed or not. So they are not inconsistent provisions, it is just that the only thing that the Commissioner couldn't do is terminate the West Hills dog run. He, for example, could decide that if other dog runs were authorized under this resolution, that because of these change in circumstances he could terminate that, but he can't terminate West Hills.

CHAIRPERSON FIELDS:

Okay. We are adjourned. Thank you.

(The meeting was adjourned at 2:55 p.m.)

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